

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Wridzer Jan Willem BAKKER et al.
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For: : ANTISOLVENT SOLIDIFICATION PROCESS
Examiner : Edward J. Webman
Art Unit : 1616
Confirmation No. : 1246

Address to: Amendment
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I hereby certify that this correspondence is being electronically
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Date: July 22, 2008

Signature: /Julie Forero/

RESPONSE TO RESTRICTION REQUIREMENT

S I R:

In response to the Office Action mailed on May 22, 2008, please enter the
following Remarks.

Remarks begin on page 2 of this paper.

REMARKS

In the Office Action mailed on May 22, 2008, Applicant has been required, in accordance with 37 C.F.R. § 1.499, to elect one of the following groups of claims:

Group I: claims 1-12, and 16-17 drawn to antisolvent solidification process for preparing a solid composition and a method of using the process and crystalline particles in the preparation of a pharmaceutical dosage form; and

Group II: claims 13-15, drawn to crystalline particles and a pharmaceutical dosage form comprising crystalline particles.

Applicant elects claims 1-12 and 16-17 (*i.e.*, Group I) for further prosecution on the merits.

In Group I, the Examiner has required the Applicants to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. Specifically, the Examiner has required the Applicants to select a single species from one of the following two species:

Organic or inorganic compound type (transition metal salts, alkali salts, alkali earth salts...) (Claim 6 recites these species); and

Pharmaceutical compound type (tibolone, progesterone, desogestrel...) (Claim 9 recites these species).

Applicants elect the pharmaceutical compound type species. The claims which read thereon are claims 1-5, 7-12 and 16-17.

Applicants respectfully request that, upon the allowance of a generic claim, claims directed to non-elected species including all the limitations of the generic claim be considered, in accordance with 37 C.F.R. § 1.141, and ultimately allowed.

If there are any questions regarding this election, or the application in general, a telephone call to the undersigned would be appreciated if it would expedite examination of the application.

Respectfully submitted,
KENYON & KENYON LLP

Dated: July 22, 2008

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